[Shri S. Jaipal Reddy]

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last date of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 10 members to be appointed by Rajya Sabha to the Joint Committee".

The motion was adopted.

15.09 hrs.

[English]

SICK INDUSTRIAL COMPANIES (SPECIAL PROVISIONS) BILL*

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM) : I beg to move for leave to introduce a Bill to make, in the public interest, special provisions with a view of securing the timely detection of sick companies owning industrial undertakings, the speedy determination of the remedial and other measures which needed to be taken with respect to such companies and the expeditious enforcement of the measures so determined and for matters connected therewith or incidental thereto and also to repeal the Sick Industrial Companies (Special Provisions) Act, 1985.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill to make, in the public interest, special provisions with a view to securing the timely detection of sick companies owning industrial undertakings, the speedy determination of the remedial and other measure which need to be taken with respect of such companies and the expeditious enforcement of the measures so determined and for matters connected therewith or incidental thereto and also to repeal the Sick Industrial Companies (Special Provisions) Act, 1985."

The motion was adopted.

SHRI P. CHIDAMBARAM : I introduce* the Bill

15.10 hrs.

[English]

CONSTITUTION (EIGHTY-FIRST AMENDMENT) BILL

MR. SPEAKER : Now, we have only 21 minutes left with us before we start the Private Member's Bills and Resolution.

SEVERAL HON. MEMBERS : Sir, what about Matters under Rule 377 ?

MR. SPEAKER : Matters under Rule 377 will be taken up later on because the leaders had met me in my Chamber and it was decided that the debate on Reservation for Women's Bill should start now, in this Session. We will take up the Matters Under Rule 377 a little later, after 6 o' clock.

(Interruptions)

[Translation]

SHRI NITISH KUMAR (Barh) : What will be done within just 20 minutes ?

SHRI NAWAL KISHORE RAi (Sitamarhi) : This whole house would like to know that what will be done about O.B.C. and Minority . . .*(Interruptions)*

[English]

SHRIMATI GEETA MUKHERJEE (Panskura) : Let there be a discussion. . .*(Interruptions)*

DR. T. SUBBARAMI REDDY (Visakhapatnam) : Sir, what will be done within just 15 to 20 minutes ? . . . *(Interruptions)*

[Translation]

SHRI NAWAL KISHORE RAI : We will seek your protection. What will be done about the women belonging

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* Published in the Gazette of India Extraordinary Part II, Section 2, dated 16th May, 1997

* Introduced with the recommendation of the President

to OBC and Minorities. . .*(Interruptions)* We want your protection.

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga): You are providing reservation just for the sake of social justice. Whether the Muslims will not be able to have an access to this House. Similarly, the people belonging to other classes of the society and backward caste could not be able to get an entry to this House. First of all, please listen about this. Earlier also we had the same objection . . .*(Interruptions)*

SHRI NITISH KUMAR : I fail to understand as to how much we can discuss now about amendments in constitution just in 15 minutes.

[English]

MR. SPEAKER : You cannot put this question to the Chair. This is a Bill which is being introduced by the Government, and has to be piloted by the Government. You belong to the Ruling Party. How do you expect me.

(Interruptions)

[Translation]

SHRI NITISH KUMAR : Whether the Hon. Prime Minister will now start the discussion. . .*(Interruptions)*

[English]

MR. SPEAKER : Let the Prime Minister speak. I would like to know the stand of the Government and whether they want to proceed with it.

(Interruptions)

MR. SPEAKER : Let me hear the Prime Minister.

[Translation]

SHRI NITISH KUMAR : If the Prime Minister himself will move a motion like this for the next 15 minutes then it will become mockery. This is just a publicity please listen about the objection we have.

[English]

THE PRIME MINISTER (SHRI I.K. GUJRAL) : Please allow me to speak . . .*(Interruptions)*

MR. SPEAKER : I am only asking the sense of the House.

(Interruptions)

[Translation]

SHRI NITISH KUMAR : There can not be any joke more than this. Just in 15 minutes Private Members Bill is likely to be taken up. If it was to be brought, it should have been brought earlier, we could have discussed it first. If it is to be discussed in the next session, what is left for us to do today ? . . .*(Interruptions)*

[English]

MR. SPEAKER : Shri Banatwalla and Shri Nitish Kumar may please sit down. Please listen to me.

The limited question that I am asking the hon. Prime Minister at this stage is, whether the Government is going ahead with the consideration of the Bill or not. That is the only question, I am asking. I am not asking him to take up the Bill now. I am only asking whether the Government is proceeding with the consideration of the Bill. That is all.

(Interruptions)

SHRI G.M. BANATWALLA (Ponnani) : Sir, our request is that it is a Constitution (Amendment) Bill a very serious Bill and nothing will be served within just 15 minutes by starting the discussion now. It is nothing except a gimmick.

[Translation]

SHRI NITISH KUMAR : We have full regards for Hon. Prime Minister, but he will make a full speech . . . *(Interruptions)* They could have responded.

SHRI SULTAN SALAHUDDIN OWAISI (Hyderabad) : The Muslims also have the equal rights, therefore, please listen to us first . . .*(Interruptions)*. There is no reservation for us. . .*(Interruptions)*

[English]

MR. SPEAKER : Let us hear the Prime Minister.

[Translation]

SHRI NITISH KUMAR : Sir, there should not be any difference on such questions. All the disputed matters will now be moved for further consideration without resolving them. Now those matters will just be moved and after speaking five sentences, you will sit down and then Private Members' Business will begin and it will be presumed that discussion has started. But what purpose it will solve ?

[English]

SHRI MADHUKAR SARPOTDAR (Mumbai North-West) : This is not at all proper. What is the intention of the Government ? What is the purpose of taking up this Bill at this time ?

[Translation]

SHRI NITISH KUMAR : We would like to know that what purpose it will solve ? We would like to know as to what is the justification behind it. . .*(Interruptions)*

SHRIMATI SUSHMA SWARAJ (South Delhi) : A select committee has been constituted for resolving the disputed matter. A unanimous report was given by the joint select committee after a consensus has been reached. How far this would remain as a disputed matter ? . . .*(Interruptions)* This will not do . . .*(Interruptions)* The people are saying that they should be heard. . .*(Interruptions)* Our points have now become a part of the record.

[English]

MR. SPEAKER : I think you have made your point.

SHRI SOMNATH CHATTERJEE (Bolpur) : Let us hear the Prime Minister, Let us listen to what he has got to say. What is all this happening ?

[Translation]

SHRI NITISH KUMAR : This should have been presented by Law Minister. Hon Prime Minister is standing, what purpose you want to achieve.

[English]

MR. SPEAKER : Shri Nitish Kumar, I was only asking a limited question whether the Government wants to proceed with the consideration of the Bill or not. I am not asking anything else.

SHRI NITISH KUMAR : He wants to read out the text of his speech.

SHRIMATI SUSHMA SWARAJ : First he will read out his speech, then only he will move for consideration of the Bill.

MR. SPEAKER : The Prime Minister is going to speak. Let us hear the Prime Minister.

[Translation]

SHRI NITISH KUMAR : We also have some curiosities, they should also be resolved . . .*(Interruptions)* Mr. Speaker Sir, we are not saying anything. . .*(Interruptions)*

[English]

MR. SPEAKER : Shri Nitish Kumar, you cannot do like that. You have made your point. You are my colleague in the Chair.

[Translation]

THE MINISTER OF RAILWAYS (SHRI RAM VILAS PASWAN) : You will get the time . . .*(Interruptions)*

[English]

SHRI SONTOSH MOHAN DEV : We are doing great injustice to the Government and to the Prime Minister. At our instance an all-party meeting was called. It was for the sixth time that it was discussed. Almost all the parties wanted that it should be discussed and decided in the House. The Prime Minister agreed to bring it in the House. During the debate those who have got objections can raise them. This is high time. Lady Members are agitated about it. . .*(Interruptions)* He can raise his objections.

SHRI G.M. BANATWALLA : We want protection from the Chair, Sir, Once the motion for consideration is moved, Members cannot move a substitute motion. Members will not be able to move their amendments. Our right are affected.

MR. SPEAKER : You can still move amendments. Why not ? There is no bar. You have the right to move amendments.

(Interruptions)

MR. SPEAKER : You have the right to move amendments.

SHRI G.M. BANATWALLA : Yes, we are given that right.

SHRI G.G. SWELL (Shillong) : Mr. Speaker, Sir, I would like to know when do we have the right to move our amendments.

MR. SPEAKER : You can move them even now. You can give the amendments even now.

SHRI G.G. SWELL : Then, I am moving my amendment.

MR. SPEAKER : No, no Just put it there. It will be valid.

(Interruptions)

[Translation]

SHRIMATI SUSHMA SWARAJ : You have prepared the manifesto without discussing, it with the party. . . *(Interruptions)*

[English]

SHRI G.M. BANATWALLA : We have got only ten minutes for discussion on a serious issue. Do not allow it now. I am making a submission that it should not come up at all because it is nothing by a political gimmick on a serious issue.

SHRI CHITTA BASU (Barasat) : Mr. Speaker, Sir, we have a right to listen to the hon. Prime Minister.

MR. SPEAKER : That is what I am saying. Let us first listen to the Prime Minister and then you can speak.

SHRI CHITTA BASU : Sir, we have every right to listen to the Prime Minister.

[Translation]

SHRI NITISH KUMAR : Please listen to us, why are we standing otherwise, it will be an injustice with me . . .*(Interruptions)*

MR. SPEAKER : Just after a few minutes. You will preside over here.

(Interruptions)

[English]

MR. SPEAKER : I have called the Prime Minister. Shri Nitish Kumar, when I have called the Prime Minister, you cannot do like that.

[Translation]

SHRI NITISH KUMAR : Please listen to me for a minute. What objections we have. After that whatever orders you will pass, that will be acceptable to all of us.

[English]

SHRI CHITTA BASU : We have got every right to hear the Prime Minister.

SHRI G.M. BANATWALLA : Sir, only ten minutes are left. Go by the List of Business. We have only five minutes that are left before taking up Private Member's Business. No other purpose can be served by setting aside the entire List of Business.

SHRI SOMNATH CHATTERJEE (Bolpur) : Let us sit tomorrow to pass the Bill.

MR. SPEAKER : Shri Banatwalla, when the hon. Prime Minister called a meeting of all political parties, certain decisions have been taken; then, the Speaker has been communicated what decision has been taken in that meeting. I am just carrying out the desire of that consensus because of the request from the Government. That is all I am doing.

(Interruptions)

SHRI G.M. BANATWALLA : My innocent question was this.

MR. SPEAKER : If you are questioning it, then I do not think that it is there. It is not there at all.

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga): This issue has not been discussed in the Party. We had objected to it. It must be discussed on the floor of the House. You must first hear the view of the minorities. Do not set aside the agenda.

MR. SPEAKER : Let us hear him.

(Interruptions)

MR. SPEAKER : Please sit down, Shri Fatmi.

(Interruptions)

MR. SPEAKER : Shri Nitish Kumar, look here. I have been very liberal. Now, you are compelling me to go strictly according to the Rule of Procedure.

The Bill has been introduced. It has not been taken up for consideration. Strictly going according to the rules, unless the mover moves for consideration of the Bill, no Member is entitled to speak on the Bill. That is the position. Therefore, if you want to speak on the Bill, everybody will get chance but then it has to be moved for consideration first. Yes, Mr. Prime Minister.

(Interruptions)

MR. SPEAKER : Let him move the Bill for consideration.

(Interruptions)

[Translation]

SHRI NITISH KUMAR : Hon'ble Speaker, Sir, you

[Shri Nitish Kumar]

called my name. I will not take more than one minute . . .*(Interruptions)**

[English]

MR. SPEAKER : Nothing will go on record. Whatever the hon. Prime Minister says only that will go on record.

(Interruptions)

MR. SPEAKER : You can speak later on.

(Interruptions)

MR. SPEAKER : I have given my ruling.

(Interruptions)

[Translation]

SHRI NITISH KUMAR : Mr. Speaker, Sir, you called my name, I would like to request you that I should be allowed for two minutes more. . .

SHRI GANGA CHARAN RAJPUT (Hamirpur) (U.P.) : Hon. Speaker, Sir, would you listen the voice of backwards. Injustice is being done with backwards. They are 60 per cent in population and are being ignored too . . . *(Interruptions)*

[English]

MR. SPEAKER : You will get the opportunity to speak. But unless the Bill is taken into consideration, you cannot speak. You are forcing me.

(Interruptions)

[Translation]

SHRI SHARAD YADAV (Madhepura) : You are taking decision about this big country. You have simplified the matter but the matter is not like this. It is not a matter of consensus. It will be decided in the House. You have allowed me for five minutes. I also want to say many things, but this is not a question only for me. I don't want to involve in it. We all are in favour of it. But without listening to me you have allowed him for five minutes, and later on you gave your ruling. I request that sentiments of crores of people are attached with this. We are two hundred and eighty members in this House who have came here with their manhood. We have not come here on the basis of reservation. We, the people of middle eastern have not asked for reservation and you want to reserve 180 seats and you don't want to allow anyone to speak even for five minutes. You want to take the decision about the future of this country. You want to change the character of this House. I feel so much trouble . . .*(Interruptions)* You cannot do injustice with the crores of people. You allowed the members to speak but even then nobody is ready to listen to their sentiments for two minutes and you are saying about the consensus. You will know about the consensus . . . *(Interruptions)*.

[English]

MR. SPEAKER : It is all right. Nobody need to react now.

(Interruptions)

[Translation]

PROF. RITA VERMA (Dhanbad) : This is not the way to speak.

SHRI SHARAD YADAV : What are you thinking. What are you thinking in this House. You have media, Press, but you don't want to listen to me for five minutes. . . *(Interruptions)* I myself and the members of the D.M.K. told in the steering committee that how are you talking about consensus. You don't want to listen the views of the people. What is the difference among Sushma Swaraj, Murli Manohar Joshi and Shrimati Geeta Mukherjee's speaking of their ethos. You want to crush the rights of our women. You have introduced such an important bill and it should have been circulated two days in advance. I respect this institution. We have shed a lot of blood in building up this institution, I don't want to say more but want to say that you should take it granted that this Bill will be debated for longer hours and certain people of this House will be exposed. . .*(Interruptions)* You are thinking about women. You want publicity and trying to humiliate women. If you will cross the limit then we will not spare anyone. About which women you are talking here. We do not want to restrict ourself just for the upliftment of sophisticated women only . . . *(Interruptions)* Would you not listen to the views of the Members for two minutes.

SHRIMATI SUSHMA SWARAJ : He is humiliating the women, these are working women.

(Interruptions)

[English]

MR. SPEAKER : No. Please let me speak now.

(Interruptions)

* Not Recorded.

MR. SPEAKER : Shri Banatwalla, please do not worry about that. I know that I understand the hurry. Please sit down.

I only want to clarify one thing. Shri Sharad Yadav has gone a little too far to test my patience.

But I have patience. I know what I am doing. This is a Bill which has already been introduced. There is no question of circulation for two days. The Bill has already been introduced. Now, it has to be taken up for consideration.

SHRI G.M. BANATWALLA : But without any notice, how can it be done ?

MR. SPEAKER : You tell me what the Speaker should do when the Government comes and says that this is the consensus of all political parties that the Bill should be taken up.

(Interruptions)

SHRI G.M. BANATWALLA : We objected to it . . . *(Interruptions)*

MR. SPEAKER : Now it is 3.30 P.M. The time of the Government is over. It is the time for Private Members' Business. So, we will take up Private Member's Business now.

(Interruptions)

SHRIMATI GEETA MUKHERJEE (Panskura) : Just now you have said that the Bill has already been introduced and that it has to be taken up now for consideration . . .*(Interruptions)*

MR. SPEAKER : No more time for the Government. It is Private Members' time now. I cannot allow you.

(Interruptions)

SHRI SOMNATH CHATTERJEE : Sir, may I seek a clarification ? The hon. Prime Minister was ready to move the Bill, as I understand, for consideration. He was here about half-an-hour before the Private Members' Business started. But he was not allowed to speak.

MR. SPEAKER : By whom ?

SHRI SOMNATH CHATTERJEE : By hon. Members.

MR. SPEAKER : Yes. It was mostly by those belonging to the ruling party including the leaders. You are a working President of the ruling group. What can I do ?

(Interruptions)

SHRI SOMNATH CHATTERJEE : Therefore, what I am trying to find out is this. There are many many measures over which the whole House does not have unanimity. But then it will depend on the joint wisdom of the House. This is ascertained by voting preceded by a discussion. This is precisely we wanted. Sir, there been a demand for early consideration of this measure for a very long time.

SHRI G.M. BANATWALLA : I am on a point of order. The matter cannot be raised now as it is Private Members' time . . .*(Interruptions)*

SHRI NITISH KUMAR : Sir, why can you not allow me also to make my submission ? Otherwise, you may take up Private Members' Business . . .*(Interruptions)*

SHRI SOMNATH CHATTERJEE : I respectfully submit . . .*(Interruptions)* It seems we have too many Speakers in the House. We have too many Presiding Officers in the House.

MR. SPEAKER : Yes, you are very right. Everybody is a Speaker here.

(Interruptions)

MR. SPEAKER : Shri Chatterjee, I have already moved to the Private Members' Business. At 6 P.M., I will take the sense of the House as to whether the House should continue to sit or not and then, I will go according to the rules.

15.33 hrs.

[English]

MOTION RE : NINTH REPORT OF THE COMMITTEE ON PRIVATE MEMBERS' BILL AND RESOLUTIONS

SHRI D.S.A. SIVAPRAKASAM (Tirunelveli) : I beg to move :

"That this House do agree with the Ninth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 14th May, 1997."

MR. SPEAKER : The question is :